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Election

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PATENT  
Attorney Docket No.: 019916-001210US

Assistant Commissioner for Patents  
Washington, D.C. 20231

On 1-2-02

TOWNSEND and TOWNSEND and CREW LLP

By: Maisie C. Livengood  
Maisie C. Livengood

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Empedocles, et al.

Application No.: 09/784,645

Filed: February 15, 2001

For: MICROARRAY METHODS  
UTILIZING SEMICONDUCTOR  
NANOCRYSTALS

Examiner: Forman, Betty J.

Art Unit: 1655

RESPONSE TO RESTRICTION  
REQUIREMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the restriction requirement mailed November 29, 2001, Applicants elect to prosecute Group I which includes claims 1-26 and 40-43, without traverse. In response to the species election requirement, Applicants elect nucleic acids, without traverse. Claims from Group I that read upon the elected species include all claims in the group, except claims 16-18 and 24.

If the Examiner has any questions regarding Applicants' election, or if the Examiner believes a telephone conference would expedite prosecution of this application, please telephone

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PATENT

the undersigned at 303-571-4000.

Respectfully submitted,



Scott L. Ausenhuis  
Reg. No. 42,271

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